

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA

**FILED**

MAR - 7 2013

W  
H  
R  
I  
E  
C  
O  
U  
R  
T

ALLAN D. SCHUBERT,

Petitioner,

v.

RANDY WORKMAN, Warden,

Respondent.


Case No. CIV 12-263-RAW-KEW

**OPINION AND ORDER**  
**DENYING CERTIFICATE OF APPEALABILITY**

On this date the court dismissed petitioner's petition for a writ of habeas corpus. After careful review of the record, the court concludes petitioner has not shown "at least, that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether [this] court was correct in its procedural ruling." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). *See also* 28 U.S.C. § 2253(c).

**ACCORDINGLY**, petitioner is denied a certificate of appealability. *See* Rule 11(a) of the Rules Governing Section 2254 Cases.

**IT IS SO ORDERED** this 7<sup>th</sup> day of March 2013.

  
**RONALD A. WHITE**  
**UNITED STATES DISTRICT JUDGE**